



STATE OF UTAH

Form 32

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WATER RIGHTS

DEE C. HANSEN
STATE ENGINEER

EARL M. STAKER
DEPUTY

200 EMPIRE BUILDING
231 EAST 400 SOUTH
SALT LAKE CITY, UTAH 84111
(801) 533-6071

DIRECTING ENGINEERS
HAROLD D. DONALDSON
DONALD C. NORSETH
STANLEY GREEN
ROBERT L. MORGAN

April 27, 1981

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MAY 14 1981

DIVISION OF
OIL, GAS & MINING

Mr. Raymond M. Tibbetts
611 East 2nd South
MOAB UT 84532

Dear Mr. Tibbetts:

RE: Change Appl. No. a-11530 (01-104)

Enclosed is Change Application No. a-11530 (01-104) which has been approved by me. This approved application is your authority to proceed with actual construction work which, under Sections 73-3-10 and 73-3-12, Utah Code Annotated, 1953, as amended, must be diligently prosecuted to completion. The water shall be put to beneficial use and proof of appropriation filed with the State Engineer, as provided in the original application as amended by this approved change application.

Failure on your part to comply with the requirements of the statutes may result in forfeiture of your application.

Yours truly,

Dee C. Hansen, P. E.
State Engineer

dph

Encl.: Copy of Approved Change Application

CHANGE APPLICATION APPROVED
(Form for Pending Original Application)

Application for Permanent Change of Point of Diversion Place and Nature of Use of Water STATE OF UTAH

MAY 14 1981

Please clearly and correctly complete the information requested below which defines the right or rights being changed. (Type or clearly print.)

For the purpose of obtaining permission to permanently change: the point of diversion ☒, place ☒, or nature of use ☒, of water rights acquired by Seq. Appl. No. 41885-a (01-104)

(Give Number of Application, certificate of appropriation, title and date of Decree or other identification of right.)

If the right described has been amended by a previous approved change application, give the number of such change application. No.....

1. The name of the applicant is Raymond M. Tibbetts

2. The post-office address of the applicant is 611 East 2nd South Moab, Utah 84532

3. The flow of water which has been or was to have been used in second-feet is 2.25

4. The quantity of water which has been or was to have been used in acre-feet is

5. The water has been or was to have been used for and during periods as follows:

Irrigation from March 15 to November 15 incl.
(purpose) (month) (day) (month) (day)

..... from to incl.
(purpose) (month) (day) (month) (day)

and stored each year (if stored) from to incl.
(month) (day) (month) (day)

6. The direct source of supply is Colorado River in Grand County.
(well, spring, stream, drain, river; if other explain)

7. The point or points of diversion S. 500 ft. & E. 1150 ft. from NW Cor.
Sec. 28, T22S, R24E, SLB&M.

(Must be the same as that of right being changed unless a previous change has been filed and approved. Then use the point or points approved in the previous change.)

8. Diversion works:

If a well give diameter and depth

If a dam and reservoir give height, capacity, and area inundated

If other give type of diversion facility existing earthen channel off river.

9. The water involved has been or was to have been used for the following purposes in the following described legal subdivisions: (If used for irrigation, state sole or supplemental supply, and describe other supplemental rights.)

Irrigation Pt. of Lot 3 Sec. 28, Lot 1 & SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, all T22S, R24E, SLB&M.

Total acres to be irrigated 98.0

Stockwatering (number and kind)

Domestic (number of families and/or persons, etc.)

Other

10. The point at which water has been or was to have been returned to the stream channel is situated as follows: (Please describe method of return.)

Note: Paragraph 10 is to be completed only when all or part of the water is returned to the natural stream or channel.

The Following Changes Are Proposed

11. The flow of water to be changed in cubic feet per second is 1.676

12. The quantity of water to be changed in acre-feet is

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DIVISION OF
OIL, GAS & MINES

13. The water will be used each year for:

Placer Mining from January 1 to December 31 incl.
(purpose) (month) (day) (month) (day)

Irrigation from March 15 to November 15 incl.
(purpose) (month) (day) (month) (day)

and stored each year (if stored) from to incl.
(month) (day) (month) (day)

14. It is now proposed to divert the water from Colorado River

(i.e., spring, spring area, stream, river, drain, well, etc.)

at a point(s) as follows: S. 1400 ft. and E. 1000 ft. from NW Cor.

Sec. 28, T22S, R24E, SLB&M.

(5 miles north of Dewey Bridge) Cisco Quad

NOTE: The "point of diversion," or "point of return," must be located by course and distance or by rectangular distances with reference to some regularly established United States land corner or United States mineral monument if within a distance of six miles of either, or if a greater distance to some prominent and permanent natural object. A spring area must also be described by metes and bounds.

15. The proposed diverting and conveying works will consist of: (if a well, state diameter and depth thereof)

Lined ditch or plastic piping from sump west of river bank.

16. If water is to be stored, give capacity of reservoir in acre-feet height of dam

area inundated in acres legal subdivisions of area inundated

17. The water is to be used for the following purposes in the following described legal subdivisions: (if used for irrigation, state sole or supplemental supply, and describe other supplemental rights.)

Irrigation Pts. of Lot 3 Sec. 28, Lot 1, SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, all T22S, R24E, SLB&M

Total acres to be irrigated 72.99

but limited to the sole irrigation supply of 72.99 acres.

Stockwatering (number and kind)

Domestic (number of families and/or persons, etc.)

Other Placer mining SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, all T22S, R24E, SLB&M.

18. If paragraphs 11 and 12 designate that only part of the right described in paragraphs 1 to 10 inclusive is to be changed, designate the status of the water so affected by this change as to its being abandoned or used as heretofore.

EXPLANATORY

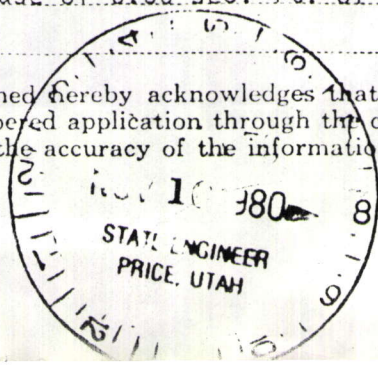
The following additional facts are set forth in order to define more clearly and completely the full purpose of the proposed change: Intent is to change use of 0.5 cfs of existing water right from irrigation on Lot 3 Sec. 28, and Lot 1 & SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, all T22S, R24E, SLB&M.

Change is to use for placer mining from the bed of Colorado River in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, all T22S, R24E, SLB&M.

This is on Utah State Lease for Metalliferous Minerals, Mineral Lease No. 38305 issued to R. Gail Tibbetts, Moab, Utah. This lease has been assigned to Luki Milling Corporation (A Utah Corporation).

The flow and acreage have been reduced because of the request to extend the period of use of 0.50 sec.-ft. of the flow for mining purposes.

The undersigned hereby acknowledges that even though he may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the State Engineer's Office, all responsibility for the accuracy of the information contained therein, at the time of filing, rests with the applicant.



Raymond M. Tibbetts
Signature of Applicant

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WATER RIGHTS

(This page not to be filled in by applicant)

STATE ENGINEER'S ENDORSEMENTS

1. Nov 10, 1980 Change Application received over counter in State Engineer's office by UP
by mail
2. _____ Priority of right to make change brought down to, on account of _____
3. 11-13-80 Fee for filing Application \$ 60.00, received by WA, Receipt No. 08604
4. 12-9-80 Application microfilmed by _____ Roll No. 953-2 and indexed by SW
5. _____ Application platted by _____
6. 11-10-80 Application examined by UP
7. _____ Application returned, with letter, to _____ for correction
8. _____ Corrected application resubmitted over counter to State Engineer's office
by mail
9. 11-10-80 Application approved for advertisement by UP
10. JAN 13 1981 Notice to water users prepared by UP
11. JAN 22 1981 Publication began, was completed FEB 5 1981 UP
12. _____ Proof slips checked by _____
13. _____ Change Application protested by _____
14. 2/16/81 Publisher paid MEV No. 031276
15. _____ Field Examined by _____
16. 4/23/81 Application designated for approval by UP SG
rejection (dph on phone 4/23/81)
17. 4/27/81 Change Application copied dph proofread by _____
18. 4/27/81 Change Application approved and returned to applicant
rejected

This application is approved on the following conditions:

1. Actual construction work necessitated by proposed change shall be diligently prosecuted to completion.
2. Proof of change shall be submitted to the State Engineer's office by under 41885-a
3. This change is subject to all conditions imposed on the approval of the original application or right

Dee C. Hansen
Dee C. Hansen, P. E., State Engineer

19. _____ Time for making proof of change extended to _____
20. _____ Proof of change submitted.
21. _____ Certificate of change No. _____, issued.

I hereby certify that the foregoing is a true copy of the Application by _____
to change the point of diversion, place and nature of use of water as shown, with endorsements thereon, on
the records of my office on the date given below.

Salt Lake City, Utah _____, 19 _____ State Engineer

Change Application No. 2-11530